IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

WP(C).No. 26774 of 2007(K)

PETITIONERS:

1. A.A.LATHEEF, CONVENER,
UNITED DEMOCRATIC FRONT,
CHITHARA MANDALAM COMMITTEE,
CHITHARA, KOLLAM DISTRICT.

2. HUMAYOON KABEER, THOTTATHIL HOUSE,
MUTHAYIL, MANCODE P.O., KOLLAM DISTRICT.

3. R.S.VIJAYAN NAIR, "SARANYA",
MATHIRA P.O., KOLLAM DISTRICT.

BY ADV. SRI.DEVAN RAMACHANDRAN
SRI.N.C.SUMESH KUMAR

RESPONDENTS:

1. THE KERALA STATE ELECTION COMMISSION,
CORPORATION OFFICE COMPLEX, THIRUVANANTHAPURAM.

2. THE RETURNING OFFICER FOR ELECTION FOR THE
BYE-ELECTION TO THE MANDIRAMKUNNU AND MUNTHAYIL WARDS,
CHITHARA GRAMA PANCHAYAT, CHITHARA, KOLLAM DISTRICT.

3. CIRCLE INSPECTOR OF POLICE, KADAKKAL POLICE STATION,
KOLLAM DISTRICT.

4. THE SUB INSPECTOR OF POLICE,
KADAKKAL POLICE STATION, KOLLAM DISTRICT.

STANDING COUNSEL FOR STATE ELECTION COMMISSION
SRI.MURALI PURUSHOTHAMAN.
SPECIAL GOVERNMENT PLEADER SRI.C,.T.RAVIKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.P.(C). NO. 26774 OF 2007 K

Dated this the 10th September, 2007

JUDGMENT

H.L.DATTU, C.J.

Petitioners seek the following reliefs. They are as under:

"i) Issue a writ of mandamus or other appropriate writ, direction of order to direct the respondents to immediately deploy sufficient and adequate number of Police personnel in the Mandiramkunnu and Muthayil wards (Ward Numbers 20 and 22) of the Chithara Grama Panchayath to ensure free and fair elections scheduled on the 12th of September 2007;

ii) Issue a writ of mandamus or other appropriate writ, direction or order to direct the respondents to provide adequate and effective Police Protection to the petitioners and their Polling Agents; and

iii) to grant such other reliefs as may be prayed for in the circumstances of the case."

2. Respondents have filed a detailed counter affidavit before us. In that, they have specifically stated that they have taken all precautionary measures to conduct the election in a peaceful manner.

3. Petitioners have not questioned the correctness or otherwise of the statement made by the respondents. In that view of the matter, the reliefs sought for in the Writ Petition need not be granted by us. Accordingly, the Writ Petition is disposed of.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/